



BEST AVAILABLE COPY

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Young, Alan et al.
Serial No. : 09/728,471
For : **SYSTEM AND METHOD FOR PERFORMING AN
ELECTRONIC TRANSACTION USING A
TRANSACTION PROXY WITH AN ELECTRONIC
WALLET**
Filed : November 30, 2000
Examiner : Jaketic, Bryan J.
Art Unit : 3627

RENEWED PETITION UNDER 37 C.F.R. § 1.183

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned requests reconsideration of the Petition filed on December 10, 2004, and the Decision to Dismiss said petition mailed on February 8, 2005, setting a two month period for response. A three month extension of time is filed herewith extending the period for response up to and including July 8, 2005. As such, this response is timely.

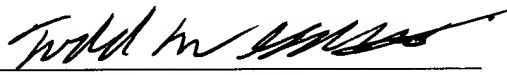
The original Petition was filed December 10, 2004, styled under 37 C.F.R. § 1.47(a) and accompanied a declaration under 37 C.F.R. § 1.131 in which two of the three inventors of the present application could not be located through diligent efforts, and therefore, only one inventor signed the declaration. Through this Request for Reconsideration of the original Petition, the undersigned hereby petitions under 37 C.F.R. § 1.183 to waive the requirement under 37 C.F.R. 1.131 that all inventors sign the declaration.

Of the three inventors named in the application, a copy of the executed Declaration Under 37 C.F.R. §1.131 is submitted herewith on behalf of Alan Young. Although several attempts were made to contact Philip G. Chapman and Robert M. Berardy, they were not found or reached after diligent effort. The attached Statement of Facts establishes that Mr. Chapman and Mr. Berardy could not be located and remain unavailable to sign the Declaration Under 37 C.F.R. §1.131.

It is believed that the Request for Reconsideration of the Petition does not require submittal of any additional fee. However, should any further fees be required for this consideration, please charge them to the Deposit Account 50-1458.

Respectfully submitted,

DATE: 6/14/05


By: Todd W. Galinski
Attorney for Applicants
Reg. No. 51,713

Kilpatrick Stockton LLP
607 14th Street NW, Suite 900
Washington, DC 20005-2018
(202) 508-5800



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For : **SYSTEM AND METHOD FOR PERFORMING AN
ELECTRONIC TRANSACTION USING A
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WALLET**
Filed : November 30, 2000
Examiner : Jaketic, Bryan J.
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STATEMENT OF FACTS IN SUPPORT OF PETITION
UNDER 37 C.F.R. § 1.183

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following Statement of Facts is submitted in support of a petition under 37 CFR 1.181.

FACTS CONTAINED IN ORIGINAL PETITION

Multiple attempts to obtain a signed Declaration Under 37 C.F.R. § 1.131 from Philip G. Chapman and Robert M. Berardy were made as shown by the attached documents.

Attachment A: March 9, 2001, FedEx receipt from original Declaration sent to Mr. Chapman evidencing his last known address.

Attachment B: March 9, 2001, FedEx receipt from original Declaration sent to Mr. Berardy evidencing his last known address.

Attachment C: October 28, 2004, email from Masako Wada evidencing the fact that Mr. Chapman and Mr. Berardy are no longer employed by the owner of the application, Citibank N.A., and their current whereabouts are unknown.

Attachment D: November 18, 2004, email to Mr. Chapman's last known email address including a copy of the Declaration Under 37 C.F.R. §1.131 for his signature.

Attachment E: November 18, 2004, email automatic reply from the System Administrator at the domain citicorp.com indicating the e-mail address for Mr. Chapman is no longer valid.

Attachment F: November 18, 2004, email to Mr. Berardy's last known email address including a copy of the Declaration Under 37 C.F.R. §1.131 for his signature.

Attachment G: November 18, 2004, email automatic reply from the System Administrator at the domain citicorp.com indicating the e-mail address for Mr. Berardy is no longer valid.

Attachment H: November 18, 2004, letter to Mr. Chapman enclosing the Declaration Under 37 C.F.R. §1.131 for his signature. A response was never received.

Attachment I: November 18, 2004, letter to Mr. Berardy enclosing the Declaration Under 37 C.F.R. §1.131 for his signature. A response was never received.

ADDITIONAL FACTS IN SUPPORT OF REQUEST FOR RECONSIDERATION

Attachment J: After the Original Petition was filed on December 10, 2004, the letter referred to as Attachment H was returned to sender marked "Addressee transferred abroad" with a new address of One Sansome Street, San Francisco, CA 94104 (USA).

Attachment K: After the Original Petition was filed on December 10, 2004, the letter referred to as Attachment I was returned to sender marked "Addressee Left". No forwarding information for Mr. Berardy was provided.

Attachment L: On March 9, 2005, a letter enclosing the Declaration Under 37 C.F.R. §1.131 was sent to Mr. Berardy at his last known home address.

Attachment M: On March 9, 2005, a letter enclosing the Declaration Under 37 C.F.R. §1.131 was sent to Mr. Chapman at his last known home address.

Attachment N: On March 9, 2005, a letter enclosing the Declaration Under 37 C.F.R. §1.131 was sent to Mr. Chapman at the San Francisco address previously provided by the return mailing of the letter mailed November 18, 2004 (See, Attachment J).

Attachment O: On March 15, 2005, the letter to Mr. Berardy contained in Attachment L was returned to sender.

Attachment P: On March 15, 2005, the letter to Mr. Chapman contained in Attachment M was returned to sender.

Attachment Q: On March 18, 2005, the letter to Mr. Chapman contained in Attachment N was returned to sender marked "Company or Person Unknown, Not Delivered".

Attachment R: On March 9, 2005, several Internet directories were consulted in an effort to find Mr. Chapman. Directories purporting to be Tokyo listings were inaccessible at the time and through later attempts. One directory, (www.anywho.com), located two phone numbers for "P. Chapman" and one for "Philip Chapman" in the San Francisco area. This search was based upon the information contained in Attachment J indicating a forwarding address for Mr. Chapman. Calls to the three numbers seeking Mr. Chapman were not returned.

Further attempts to find either Mr. Berardy or Mr. Chapman through Internet based telephone directories proved fruitless. Without an indication of their current Country or State of residence the searchable phone books could not return results.

As evidenced by the above, several attempts were made to contact Mr. Chapman and Mr. Berardy by electronic mail, standard mail, and telephone. There has been no response or success with regard to either Mr. Chapman or Mr. Berardy to any of the attempts to locate them. I, the undersigned, have first hand knowledge of the events set forth in this declaration of facts.

Date: 6/14/05


Todd W. Galinski (Reg. No. 51,713)

A

EXPRESS MAIL NO. EV4633634444

Orig. ID: JPNA
From: George T. Marcou (202) 508-5800
KILPATRICK STOCKTON LLP
700 13TH STREET, NW, SUITE 800

WASHINGTON
DC 20005 (US)

To: Philip Chapman 01181356425752
Citicorp Center, Cyber Bldg.
2-3-14 Higashi-Shinagawa
Shinagawa-ku
Tokyo 1408639 JAPAN (JP)

Description
Documents

SHIPPER'S FEDER ACCOUNT #



NSR Section 30.55(h) FTSR

FedEx.

IRS/EIN:
SHIP DATE: 09MAR01
WEIGHT: 1.0 LBS

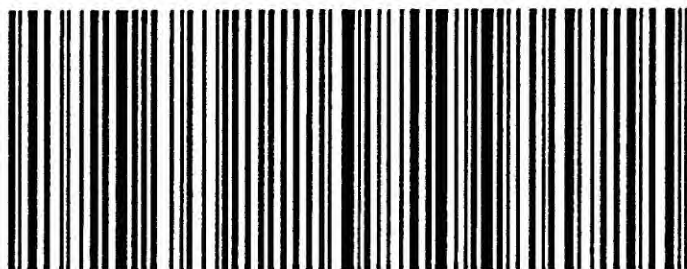
Ref: 196869
Signature: George T. Marcou

TRK # 7909 1788 9004 FORM 0430

INTL ECONOMY

NRT

1408639 JP

KX KKXA

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1. Use the "Print" feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place 2 original labels (Consignee, Manifest/Billing) in the international shipping label pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
4. To print a receipt of your shipment, please click on "Shipping History."

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B

EXPRESS MAIL NO. EV4633634445

Orig. ID: JPNA
From: George T. Marcou (202) 508-5800
KILPATRICK STOCKTON LLP
700 13TH STREET, NW, SUITE 800

WASHINGTON
DC 20005 (US)

To: Robert Berardy 01181356425752
Citicorp Center, Cyber Bldg.
2-3-14 Higashi-Shinagawa
Shinagawa-ku
Tokyo 1408639 JAPAN (JP)

Description
Documents

SHIPPER'S FEDEX ACCOUNT #



NSR Section 30.55(h) FTSR

FedEx.

IRS/EIN:
SHIP DATE: 09MAR01
WEIGHT: 1.0 LBS

Country Mfg.

CUSTOM VALUE: 1.00 USD
CARRIAGE VALUE: 1.00 USD

BILL T/C: S 020050101
BILL D/T: S 020050101

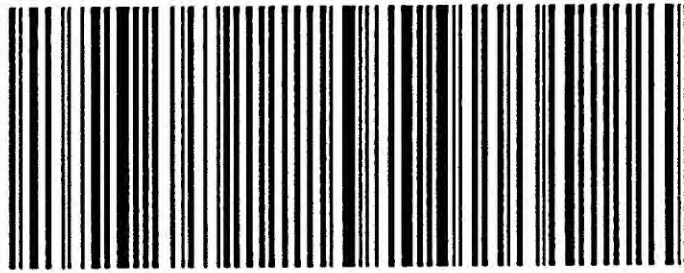
Ref: 196869
Signature: George T. Marcou

TRK # 7904 9197 3172 FORM 0430

INTL ECONOMY

1408639 JP

NRT
KX KKXA



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[Schedule Courier](#)[Find a Dropoff Location](#)[Shipping History](#)[Shipment Complete](#)[Cancel Shipment](#)

1. Use the "Print" feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place 2 original labels (Consignee, Manifest/Billing) in the international shipping label pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
4. To print a receipt of your shipment, please click on "Shipping History."

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Galinski, Todd

From: Wada, Masako [wadam@citigroup.com]
Sent: Thursday, October 28, 2004 1:30 PM
To: Turpie, Linda
Cc: Hogans, Sonya Y.; Harrington, John; Galinski, Todd
Subject: RE: Citibank/I-mode Wallet (C0464/196869) CITI 0207

Importance: High

Hi, Linda:

Apologies for the delay in responding to your e-mail. Alan Young's resident address is as attached and his e-mail address is younga@citigroup.com. His office number is 212/559-2314.

Berardy and Chapman left the bank. They do not exist on the Global Directory any longer.

Let me know if you would need further information.

Thank you and regards,

Masako Wada
Assistant to David Schreiber
212.559.1833
wadam@citigroup.com

-----Original Message-----

From: Young, Alan
Sent: Thursday, October 28, 2004 12:16 PM
To: Wada, Masako
Cc: Cofresi, Ann
Subject: RE: COULD YOU DO US A FAVOR ?! === Citibank/I-mode Wallet (C0464/196869) CITI 0207

Alan Young
63 Garibaldi Lane
New Canaan
CT 06840

I think that Philip Chapman left the bank. I have no idea what his current address is.

Alan

-----Original Message-----

From: Turpie, Linda [mailto:LTurpie@KilpatrickStockton.com]
Sent: Thursday, October 28, 2004 1:19 PM
To: wadam@citigroup.com
Cc: hoganss@citigroup.com; Harrington, John; Galinski, Todd
Subject: RE: Citibank/I-mode Wallet (C0464/196869) CITI 0207

Masako,

Just wondering if you have had a chance to look into this. It's rather urgent.

Thanks.

Linda

-----Original Message-----

From: Turpie, Linda

Sent: Thursday, October 28, 2004 9:44 AM
To: 'wadam@citigroup.com'
Cc: 'hoganss@citigroup.com'; Harrington, John; Galinski, Todd
Subject: FW: Citibank/I-mode Wallet (C0464/196869) CITI 0207
Importance: High

Good morning Masako,

Sonya asked if you could look these up in the system since she cannot access it from CA. We also need current home addresses and email addresses to obtain signatures. Many thanks.

Linda

-----Original Message-----

From: Turpie, Linda
Sent: Thursday, October 28, 2004 9:27 AM
To: 'hoganss@citigroup.com'
Cc: Harrington, John; Galinski, Todd
Subject: FW: Citibank/I-mode Wallet (C0464/196869) CITI 0207
Importance: High

Sonya, can you please let us know if the following inventors are still with Citibank?

Alan Young (Citibank in NY in 2001)
Philip Chapman (Citibank in Tokyo in 2001)
Robert Berardy (also Citibank in Tokyo in 2001)

Many thanks.

Linda

-----Original Message-----

From: Harrington, John
Sent: Wednesday, October 27, 2004 4:45 PM
To: Turpie, Linda
Cc: Galinski, Todd
Subject: FW: Citibank/I-mode Wallet (C0464/196869) CITI 0207

Linda,

In follow-up of my phone message of 10/27/04, in furtherance of a possible RCE in the above matter, it would be very helpful to us to obtain the inventors' signatures on a declaration to swear behind a reference. The named inventors are Alan Young (Citibank in NY in 2001), Philip Chapman (Citibank in Tokyo in 2001), and Robert Berardy (also Citibank in Tokyo in 2001). Can you please follow up with Sonya to see if they are still available and if so, what their current contact information is. Many thanks.

John H.

Galinski, Todd

From: Galinski, Todd
Sent: Thursday, November 18, 2004 2:24 PM
To: 'philip.chapman@citicorp.com'
Subject: URGENT: Signature Needed for Patent Application



CIT10207 I-Mode
Wallet 1.131 D...

Dear Mr. Chapman:

I am an attorney responsible for prosecution of the above-referenced patent application for which you are a co-inventor. In conjunction with this application, we need to establish a date of invention prior to May 9, 2000 in order to circumvent a rejection by the patent office. A provisional application leading to the above-referenced utility application was filed on May 18, 2000 and contains the information necessary to overcome the rejection. The attached Declaration states that you conceived the invention contained in that provisional application prior to May 9, 2000, and is supported by evidence of a conversation between one of the inventors (yourself) and a patent attorney (Mr. Harrington).

We would appreciate your signing and dating this Declaration where indicated and returning it to me using the enclosed return label. We are running against a deadline and would appreciate the return document as soon as possible.

Thank you for your assistance with this matter. If you have any questions, please do not hesitate to contact me.

Todd W. Galinski
Kilpatrick Stockton LLP
1001 West Fourth Street
Winston-Salem, NC 27101-2400
t 336 607 7448
f 336 734 2654

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Galinski, Todd

From: System Administrator
To: philip.chapman@citicorp.com
Sent: Thursday, November 18, 2004 2:24 PM
Subject: Undeliverable:Returned mail: see transcript for details

Your message did not reach some or all of the intended recipients.

Subject: URGENT: Signature Needed for Patent Application
Sent: 11/18/2004 2:24 PM

The following recipient(s) could not be reached:

philip.chapman@citicorp.com on 11/18/2004 2:23 PM

The e-mail account does not exist at the organization this message was sent to. Check the e-mail address, or contact the recipient directly to find out the correct address.

<imbaspam-nj04.iplex.ssmb.com #5.1.1 SMTP; 550 5.1.1 <philip.chapman@citicorp.com>... User unknown>

Galinski, Todd

From: Galinski, Todd
Sent: Thursday, November 18, 2004 2:24 PM
To: 'robert.berardy@citicorp.com'
Subject: URGENT: Signature Needed for Patent Application



CITI0207 I-Mode
Wallet 1.131 D...

Dear Mr. Berardy:

I am an attorney responsible for prosecution of the above-referenced patent application for which you are a co-inventor. In conjunction with this application, we need to establish a date of invention prior to May 9, 2000 in order to circumvent a rejection by the patent office. A provisional application leading to the above-referenced utility application was filed on May 18, 2000 and contains the information necessary to overcome the rejection. The attached Declaration states that you conceived the invention contained in that provisional application prior to May 9, 2000, and is supported by evidence of a conversation between one of the inventors (Mr. Chapman) and a patent attorney (Mr. Harrington).

We would appreciate your signing and dating this Declaration where indicated and returning it to me by facsimile at the number below with follow-up by standard delivery. We are running against a deadline and would appreciate the return document as soon as possible.

Thank you for your assistance with this matter. If you have any questions, please do not hesitate to contact me.

Todd W. Galinski
Kilpatrick Stockton LLP
1001 West Fourth Street
Winston-Salem, NC 27101-2400
t 336 607 7448
f 336 734 2654

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Galinski, Todd

From: System Administrator
To: robert.berardy@citicorp.com
Sent: Thursday, November 18, 2004 2:24 PM
Subject: Undeliverable:Returned mail: see transcript for details

Your message did not reach some or all of the intended recipients.


Subject: URGENT: Signature Needed for Patent Application
Sent: 11/18/2004 2:24 PM

The following recipient(s) could not be reached:

robert.berardy@citicorp.com on 11/18/2004 2:23 PM

The e-mail account does not exist at the organization this message was sent to. Check the e-mail address, or contact the recipient directly to find out the correct address.

<imbaspam-nj04.iplex.ssmb.com #5.1.1 SMTP; 550 5.1.1 <robert.berardy@citicorp.com>... User unknown>

 **KILPATRICK
STOCKTON LLP**
Attorneys at Law

1001 West Fourth St.
Winston-Salem NC 27101-2400
t 336 607 7300 f 336 607 7500
www.KilpatrickStockton.com

November 18, 2004

Todd W. Galinski
direct dial 336 607 7448
direct fax 336 734 2654
TGalinski@KilpatrickStockton.com

Mr. Philip Chapman
Citicorp Center, Cyber Bldg.
2-3-14 Higashi-Shinagawa
Shinagawa-ku
Tokyo 1408639 JAPAN

Re: US Patent Application Serial No. 09/728,471
For: System and Method for Performing An Electronic
Transaction Using A Transaction Proxy With
An Electronic Wallet
Filed: November 30, 2000
Our Ref: C0464/196869 (CITI0207)

Dear Mr. Chapman:

I am an attorney responsible for prosecution of the above-referenced patent application for which you are a co-inventor. In conjunction with this application, we need to establish a date of invention prior to May 9, 2000 in order to circumvent a rejection by the Patent Office. A provisional application leading to the above-referenced utility application was filed on May 18, 2000 and contains the information necessary to overcome the rejection. The attached Declaration states that you conceived the invention contained in that provisional application prior to May 9, 2000, and is supported by evidence of a conversation between one of the inventors (Mr. Chapman) and a patent attorney (Mr. Harrington).

We would appreciate your signing and dating this Declaration where indicated and returning it to me using the enclosed envelope. We are running against a deadline and would appreciate the return document as soon as possible.

Mr. Philip Chapman
November 18, 2004
Page 2

Thank you for your assistance with this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Todd W. Galinski", with a stylized flourish at the end.

Todd W. Galinski

TWG/caj
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Young, Alan et al.
Serial No. : 09/728,471
For : **SYSTEM AND METHOD FOR PERFORMING AN
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TRANSACTION PROXY WITH AN ELECTRONIC
WALLET**
Filed : November 30, 2000
Examiner : Jaketic, Bryan J.
Art Unit : 3627

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION PURSUANT TO 37 C.F.R. § 1.131

Dear Sir,

We, the undersigned, Alan Young, Philip G. Chapman, and Robert M. Berardy, each do hereby declare the following:

1. I am an original and joint inventor of the subject matter disclosed and claimed in the above-identified United States Patent Application.
2. I am over the age of 21 and are competent to make this declaration based on our personal knowledge.
3. During the conception and reduction to practice of the subject matter contained in the above-identified United States Patent Application I was employed by Citibank NA, the current assignee of the above-identified United States Patent Application.
4. This document is submitted as evidence that the subject matter recited in claims 1-69 of the above-identified United States Patent Application was conceived by my co-inventors and myself prior to May 9, 2000 and diligently reduced to practice thereafter.

5. Exhibit A is a copy of an email evidencing communications between one of the inventors, Philip Chapman, and a patent attorney, John Harrington, which took place on May 1, 2000. This email communication took place as part of the discussions relating to the preparation of a provisional application filed on May 18, 2000, and is further evidence of conception of the invention prior to May 9, 2000.

6. I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: _____

Alan Young

Dated: _____

Philip G. Chapman

Dated: _____

Robert M. Berardy

Harrington, John

From: Harrington, John
Sent: Monday, May 01, 2000 5:54 PM
To: 'philip.chapman@citicorp.com'
Cc: Marcou, George; Holmes, Diana; 'david.schreiber@citicorp.com';
'tamara.tishberg@citicorp.com'
Subject: I-Mode Wallet (C0464.196869)

Philip, my apologies for omission of the re line in previous email.

Regards,
John Harrington

-----Original Message-----

From: Harrington, John
Sent: Monday, May 01, 2000 5:31 PM
To: 'philip.chapman@citicorp.com'
Cc: Marcou, George; Holmes, Diana; 'david.schreiber@citicorp.com'; 'tamara.tishberg@citicorp.com'
Subject:



P07301_DOC

Dear Philip:

In follow up of our telephone conversation of April 27, 2000, attached is a draft of a second provisional patent application for the above-identified project based on the oral disclosure taken during the conversation.

As discussed, the attached draft includes the text of the provisional application already filed, plus the additional disclosure commencing at line 26 on page 8, as well as an additional attachment labeled "D" (not attached).

We note your comments regarding the inventorship list and will follow up shortly.

Please review the draft application for technical accuracy and provide us with any suggested changes, preferably in writing and suggesting specific word changes, if possible.

Best regards,

John M. Harrington
Kilpatrick Stockton LLP

EXHIBIT A

November 18, 2004

Mr. Robert Berardy
Citicorp Center, Cyber Bldg.
2-3-14 Higashi-Shinagawa
Shinagawa-ku
Tokyo 1408639 JAPAN

Re: US Patent Application Serial No. 09/728,471
For: System and Method for Performing An Electronic
Transaction Using A Transaction Proxy With
An Electronic Wallet
Filed: November 30, 2000
Our Ref: C0464/196869 (CITI0207)

Dear Mr. Berardy:

I am an attorney responsible for prosecution of the above-referenced patent application for which you are a co-inventor. In conjunction with this application, we need to establish a date of invention prior to May 9, 2000 in order to circumvent a rejection by the Patent Office. A provisional application leading to the above-referenced utility application was filed on May 18, 2000 and contains the information necessary to overcome the rejection. The attached Declaration states that you conceived the invention contained in that provisional application prior to May 9, 2000, and is supported by evidence of a conversation between one of the inventors (Mr. Chapman) and a patent attorney (Mr. Harrington).

We would appreciate your signing and dating this Declaration where indicated and returning it to me using the enclosed envelope. We are running against a deadline and would appreciate the return document as soon as possible.

Mr. Robert Berardy
November 18, 2004
Page 2

Thank you for your assistance with this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Todd W. Galinski", with a stylized flourish at the end.

Todd W. Galinski

TWG/caj
Enclosures

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Serial No. : 09/728,471
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WALLET**
Filed : November 30, 2000
Examiner : Jaketic, Bryan J.
Art Unit : 3627

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION PURSUANT TO 37 C.F.R. § 1.131

Dear Sir,

We, the undersigned, Alan Young, Philip G. Chapman, and Robert M. Berardy, each do hereby declare the following:

1. I am an original and joint inventor of the subject matter disclosed and claimed in the above-identified United States Patent Application.
2. I am over the age of 21 and are competent to make this declaration based on our personal knowledge.
3. During the conception and reduction to practice of the subject matter contained in the above-identified United States Patent Application I was employed by Citibank NA, the current assignee of the above-identified United States Patent Application.
4. This document is submitted as evidence that the subject matter recited in claims 1-69 of the above-identified United States Patent Application was conceived by my co-inventors and myself prior to May 9, 2000 and diligently reduced to practice thereafter.

5. Exhibit A is a copy of an email evidencing communications between one of the inventors, Philip Chapman, and a patent attorney, John Harrington, which took place on May 1, 2000. This email communication took place as part of the discussions relating to the preparation of a provisional application filed on May 18, 2000, and is further evidence of conception of the invention prior to May 9, 2000.

6. I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: _____

Alan Young

Dated: _____

Philip G. Chapman

Dated: _____

Robert M. Berardy

Harrington, John

From: Harrington, John
Sent: Monday, May 01, 2000 5:54 PM
To: 'philip.chapman@citicorp.com'
Cc: Marcou, George; Holmes, Diana; 'david.schreiber@citicorp.com';
'tamara.tishberg@citicorp.com'
Subject: I-Mode Wallet (C0464.196869)

Philip, my apologies for omission of the re line in previous email.

Regards,
John Harrington

-----Original Message-----

From: Harrington, John
Sent: Monday, May 01, 2000 5:31 PM
To: 'philip.chapman@citicorp.com'
Cc: Marcou, George; Holmes, Diana; 'david.schreiber@citicorp.com'; 'tamara.tishberg@citicorp.com'
Subject:



P07301_.DOC

Dear Philip:

In follow up of our telephone conversation of April 27, 2000, attached is a draft of a second provisional patent application for the above-identified project based on the oral disclosure taken during the conversation.

As discussed, the attached draft includes the text of the provisional application already filed, plus the additional disclosure commencing at line 26 on page 8, as well as an additional attachment labeled "D" (not attached).

We note your comments regarding the inventorship list and will follow up shortly.

Please review the draft application for technical accuracy and provide us with any suggested changes, preferably in writing and suggesting specific word changes, if possible.

Best regards,

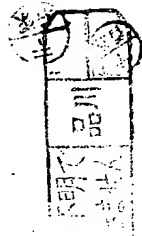
John M. Harrington
Kilpatrick Stockton LLP

EXHIBIT A

J

EXPRESS MAIL NO. EV463363444US

FIRST CLASS MAIL



AIR MAIL



TWC
1001 West Fourth St.
Winston-Salem NC 27101

Return to Sender

この郵便物は下記の理由により返送いたします。
We return this mail to you. The reason is as follows:

- ◆ Addressee Unknown
- ◆ 受取人は銀行職員に当たっておりません。
- ◆ Addressee Left
- ◆ 受取人退職の為。
- ◆ Addressee transferred abroad
- ◆ 受取人海外転勤の為。
- ◆ Address/Attention Insufficient
- ◆ 住所、氏名が不完全です。
- ◆ Other reasons
- ◆ その他理由。

Citibank, N.A., Tokyo

AIR MAIL

ONE SANSOME
STREET
SAN FRANCISCO
CA 94104
UNITED STATES

United States Postal Service
REGISTERED MAIL

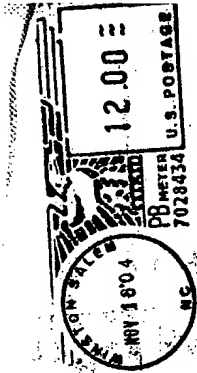


RB 891 240 606 US

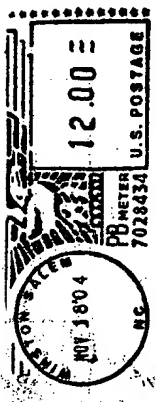
Label 200, July 1999 (102595) 99-M-1904



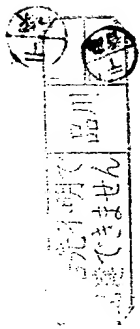
AIR MAIL



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FIRST CLASS MAIL



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1001 West Fourth St.
Winston-Salem NC 27101

Return to Sender

この郵便物は下記の理由により返送いたします。
We return this mail to you. The reason is as follows:

- ◆ Addressee Unknown 受取人は発行職員に該当しません。
- ◆ Addressee Left 受取人退職の為。
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- ◆ Address/Attention Insufficient 住所、氏名が不完全です。
- ◆ Other reasons その他の理由。

Citibank, N.A., Tokyo

EXPRESS MAIL NO. EV46336344445

AIR MAIL

United States Postal Service
REGISTERED MAIL



RB 891 247 272 US

102595 99-M-1904
102595 99-M-1904



KILPATRICK
STOCKTON LLP

Attorneys at Law

1001 West Fourth St.
Winston-Salem NC 27101-2400
t 336 607 7300 f 336 607 7500
www.KilpatrickStockton.com

Todd W. Galinski
direct dial 336 607 7448
direct fax 336 734 2654
TGalinski@KilpatrickStockton.com

March 9, 2005

Mr. Robert Berardy
Higashi Gotanda 5-16-17
Shinagawa-ku
Tokyo 141-0022 JAPAN

Re: US Patent Application Serial No. 09/728,471
For: System and Method for Performing An Electronic
Transaction Using A Transaction Proxy With
An Electronic Wallet
Filed: November 30, 2000
Our Ref: C0464/196869 (CITI0207)

Dear Mr. Berardy:

I represent Citibank, N.A. in the above-identified application, and we require your signature of the enclosed Declaration in order to establish the invention date for the above-referenced application and circumvent a rejection by the U.S. Patent Office. Enclosed is a copy of the Declaration form and the application. Please review the confidential copy of the application and sign and date the Declaration form in the place shown and return the executed Declaration to me in the enclosed UPS envelope. Please return this document to me by **March 22, 2005** so that we may respond to a filing deadline imposed by the U.S. Patent Office.

For your convenience, we also are enclosing a copy of the assignment document executed by you, assigning your rights in the subject invention to Citibank, N.A. You may wish to review this document with regard to your agreement to cooperate with Citibank, N.A., and its assignees, to obtain proper patent protection for the invention

If you have any questions, please contact me at 336-607-7448.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Todd W. Galinski'.

Todd W. Galinski

TWG/caj
Enclosures



Shipment Receipt

(Keep this for your records.)

Transaction Date 09 Mar 2005

Address Information

Ship To:

Robert Berardy
Robert Berardy
336 607-7300
Higashi Gotanda 5-16-17
Shinagawa-ku
Tokyo 1410022
JAPAN

Shipper:

Kilpatrick Stockton (Winston-Salem)
Todd W. Galinski
336 607-7300
1001 W 4th Street
WINSTON SALEM NC 27101
UNITED STATES

Shipment Information

Service:	UPS Express	
*Guaranteed By:	End of Day, Fri. 11 Mar. 2005	
Quantum View Notify SM 1:	cajohnso@kilpatrickstockton.com	
Delivery		
E-mail Failure Notification:	cajohnso@kilpatrickstockton.com.	No Charge
Quantum View Notify SM	Total:	No Charge
Shipment ID:	FF3161VH83Z	
Actual Weight:	Letter	
Billable Weight:	Letter	
Description of Goods:	correspondence	

Shipping: **35.04

Package Information

Package 1 of 1
Tracking Number: 1ZFF31616697743098
Package Type: UPS Letter
Only Valid 6 Digit Matter # Accepted: 196869

Billing Information

Payment Method:	Bill Sender: FF3161	
Total:	All Shipping Charges in USD	**35.04

Note: The displayed rate is for reference purposes and does not include applicable taxes.

* For delivery and guarantee information, see the UPS Service Guide. To speak to a customer service representative, call 1-800-PICK-UPS for domestic services and 1-800-782-7892 for international services.

** Rate includes a fuel surcharge.

Responsibility for Loss or Damage

Unless governed by the Convention for the Unification of Certain Rules Relating to International Transportation by Air (Warsaw Convention), the Convention on the Contract for the International Carriage of Goods by Road (CMR Convention) or other mandatory law, UPS's liability for damage, loss or delay of this shipment is limited to a maximum of US\$100 (or local currency equivalent) or as otherwise limited by the UPS Terms and Conditions of Carriage/Service for the country of origin of this shipment. No protection for loss or damage of this shipment in excess of the amount

pursuant to the previous sentence is provided unless the shipper declares a higher value for carriage and pays an additional charge. If the shipper declares a higher value for carriage and pays the applicable charge, then liability shall be limited to proven damages of not more than the sum so declared. If C.O.D. is available for this shipment, the entry of a C.O.D. amount is not a declaration of value for carriage, and all checks or other negotiable instruments tendered in payment of C.O.D. amounts will be accepted by UPS at shipper's risk. UPS does not accept for transportation packages with a value of more than US\$50,000 (or the local currency equivalent) if payment is made with (or guaranteed by) a UPS account number, US\$5,000 (or the local currency equivalent) if payment for this shipment is made with a credit card (and not guaranteed by a UPS account number), US\$999 (or the local currency equivalent) for shipments having an origin in the Bahamas, Costa Rica, Guatemala, New Zealand or Panama or as otherwise limited by the UPS Terms and Conditions of Carriage/Service for the country of origin of this shipment. Claims not made within the time limits set forth in the applicable Terms and Conditions of Carriage/Service shall be deemed waived. UPS shall not be liable for any special, incidental, or consequential damages. There are no stopping places which are agreed upon at the time of tender of the shipment, and UPS reserves the right to route the shipment in any way UPS deems appropriate. Where allowed by law, the shipper authorizes UPS to act as forwarding agent for export control and customs purposes. Shipper states this shipment complies with all laws, including applicable provisions of US Export Administration Regulations. Diversion contrary to U.S. law prohibited. **All shipments are subject to the Terms and Conditions of Carriage/Service for the country of origin, which can be found at www.ups.com.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Young, Alan et al.
Serial No. : 09/728,471
For : **SYSTEM AND METHOD FOR PERFORMING AN
ELECTRONIC TRANSACTION USING A
TRANSACTION PROXY WITH AN ELECTRONIC
WALLET**
Filed : November 30, 2000
Examiner : Jaketic, Bryan J.
Art Unit : 3627

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION PURSUANT TO 37 C.F.R. § 1.131

Dear Sir,

We, the undersigned, Alan Young, Philip G. Chapman, and Robert M. Berardy, each do hereby declare the following:

1. I am an original and joint inventor of the subject matter disclosed and claimed in the above-identified United States Patent Application.
2. I am over the age of 21 and are competent to make this declaration based on our personal knowledge.
3. During the conception and reduction to practice of the subject matter contained in the above-identified United States Patent Application I was employed by Citibank NA, the current assignee of the above-identified United States Patent Application.
4. This document is submitted as evidence that the subject matter recited in claims 1-69 of the above-identified United States Patent Application was conceived by my co-inventors and myself prior to May 9, 2000 and diligently reduced to practice thereafter.

5. Exhibit A is a copy of an email evidencing communications between one of the inventors, Philip Chapman, and a patent attorney, John Harrington, which took place on May 1, 2000. This email communication took place as part of the discussions relating to the preparation of a provisional application filed on May 18, 2000, and is further evidence of conception of the invention prior to May 9, 2000.

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Dated: _____

Alan Young

Dated: _____

Philip G. Chapman

Dated: _____

Robert M. Berardy

Harrington, John

From: Harrington, John
Sent: Monday, May 01, 2000 5:54 PM
To: 'philip.chapman@citicorp.com'
Cc: Marcou, George; Holmes, Diana; 'david.schreiber@citicorp.com';
'tamara.tishberg@citicorp.com'
Subject: I-Mode Wallet (C0464.196869)

Philip, my apologies for omission of the re line in previous email.

Regards,
John Harrington

-----Original Message-----

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To: 'philip.chapman@citicorp.com'
Cc: Marcou, George; Holmes, Diana; 'david.schreiber@citicorp.com'; 'tamara.tishberg@citicorp.com'
Subject:



P07301_.DOC

Dear Philip:

In follow up of our telephone conversation of April 27, 2000, attached is a draft of a second provisional patent application for the above-identified project based on the oral disclosure taken during the conversation.

As discussed, the attached draft includes the text of the provisional application already filed, plus the additional disclosure commencing at line 26 on page 8, as well as an additional attachment labeled "D" (not attached).

We note your comments regarding the inventorship list and will follow up shortly.

Please review the draft application for technical accuracy and provide us with any suggested changes, preferably in writing and suggesting specific word changes, if possible.

Best regards,

John M. Harrington
Kilpatrick Stockton LLP

EXHIBIT A

CONFIDENTIAL

Listing of Claims:

Claim 1 A method of operating a computer system for data management of an electronic transaction comprising:

receiving selection data identifying a product offered for purchase from a merchant in a transaction portal server coupled to a merchant server provided with a merchant check-out application that is in communication with a product database of the merchant and an order fulfillment system of the merchant from an interface-enabled communications device via a wireless communication network coupled to the transaction portal server;

providing product information data comprising information describing at least one aspect of the product to the interface-enabled communications device from the product database of the merchant by the merchant server via the wireless communication network coupled to the transaction portal server;

receiving shipping detail data comprising instructions related to shipping the product to a designated recipient by the merchant check-out application of the merchant server via the transaction portal server from an electronic wallet server associated with the transaction portal server and coupled to a payment processor;

receiving payment option data comprising information describing a desired means of payment for the product by the merchant check-out application of the merchant server from the interface-enabled communications device via the wireless communication network coupled to the transaction portal server;

transmitting payment authorization data to the payment processor by the transaction portal server, wherein the payment authorization data comprises purchaser identifying data and merchant identifying data identifying the merchant;

transmitting authorization by the payment processor to the transaction portal server; and

transmitting order information to the order fulfillment system of the merchant in communication with the merchant check-out application of the merchant server by the transaction portal server, wherein the order information comprises payment option data and shipping detail data.

Claim 2 The method of claim 1 further comprising displaying a product code associated with the product.

Claim 3 The method of claim 2 wherein the selection data comprises the product code associated with the product.

Claim 4 The method of claim 3 further comprising receiving customer identification information.

Claim 5 The method of claim 4 further comprising determining an electronic wallet application on the electronic wallet server associated with the customer identification information.

Claim 6 The method of claim 5 wherein receiving shipping detail data comprising instructions related to shipping the product to the designated recipient comprises accessing the electronic wallet application associated with the customer identification information on the electronic wallet server.

Claim 7 The method of claim 6 wherein receiving payment option data comprising information describing the desired means of payment for the product comprises accessing the electronic wallet application associated with the customer identification information on the electronic wallet server.

Claim 8 (canceled)

Claim 9 The method of claim 7 wherein the product information comprises the price of the product.

Claim 10 The method of claim 7 wherein the product information comprises at least one of the following: price of the product, description of attributes of the product, brand name of the product, and name of the product.

Claim 11 The method of claim 10 further comprising providing an order confirmation to the interface-enabled communications device.

Claim 12 The method of claim 11 wherein receiving customer identification information comprises receiving customer identification information from the interface-enabled communications device.

Claim 13 (canceled)

Claim 14 The method of claim 12 wherein the interface-enabled communications device comprises a web browser.

Claim 15 The method of claim 14 wherein the interface-enabled communications device comprises a wireless telephone.

Claim 16 The method of claim 14 wherein the interface-enabled communications device comprises at least one of the following: a telephone, a personal computer, and a personal digital assistant.

Claim 17 The method of claim 16 wherein the product code comprises a unique number assigned to the product.

Claim 18 The method of claim 17 further comprising transmitting the product code data to the merchant server, wherein the merchant server is associated with the product code.

Claim 19 The method of claim 18 wherein the shipping detail data comprises a shipping address.

Claim 20 The method of claim 19 wherein payment option data identifies the electronic wallet application.

Claim 21 The method of claim 20 wherein the selection data comprises merchant identifying data identifying the merchant.

Claim 22 The method of claim 21 wherein the customer identification comprises a telephone number.

Claim 23 The method of claim 21 wherein the transaction portal server is in communication with at least two merchant servers.

Claim 24 (canceled)

Claim 25 The method of claim 22 wherein the desired means of payment for the product comprises a credit card.

Claim 26 The method of claim 22 wherein offering a product for purchase from a merchant comprises providing a hyperlink on the transaction portal server to a merchant server.

Claims 27-45 (canceled)

Claim 46 A computer system for data management of an electronic transaction comprising:

 a transaction portal server coupled to a merchant server provided with a merchant check-out application that is in communication with a product database of the merchant and an order fulfillment system of the merchant, wherein the transaction portal server is adapted for receiving selection data identifying a product offered for purchase from a merchant in the transaction portal server from an interface-enabled communications device via a wireless communication network coupled to the transaction portal server;

wherein the merchant server is adapted for providing product information data comprising information describing at least one aspect of the product to the interface-enabled communications device from the product database of the merchant via the wireless communication network coupled to the transaction portal server;

wherein the merchant check-out application of the merchant server is adapted for receiving shipping detail data comprising instructions related to shipping the product to a designated recipient via the transaction portal server from an electronic wallet server associated with the transaction portal server and coupled to a payment processor;

wherein the merchant check-out application of the merchant server is adapted for receiving payment option data comprising information describing a desired means of payment for the product from the interface-enabled communications device via the wireless communication network coupled to the transaction portal server;

wherein the transaction portal server is further adapted for transmitting payment authorization to a payment processor, wherein the payment authorization comprises purchaser identifying data and merchant identifying data identifying the merchant;

wherein the payment processor is adapted for transmitting authorization to the transaction portal server; and

wherein the transaction portal server is further adapted for transmitting order information to the order fulfillment system of the merchant in communication with the merchant check-out application of the merchant server, wherein the order information comprises payment option data and shipping detail data.

Claims 47-61 (canceled)

Claim 62 The method of claim 1 further comprising entering into a joint venture between a provider of the transaction portal server and a provider of the wireless communications network.

Claim 63 The method of claim 62 further comprising providing the transaction portal server in communication with the wireless communications network.

Claim 64 The method of claim 63 further comprising providing the subscriber access to the transaction portal server.

Claim 65 The method of claim 64 further comprising receiving by the operator of the wireless communications network billing data reflecting a transaction between the merchant and the subscriber and providing a bill to the subscriber comprising the billing data.

Claim 66 The method of claim 65 wherein the bill further comprises billing for communications services.

Claim 67 The method of claim 66 wherein communications services comprises mobile telephone service.

Claim 68 The method of claim 67 wherein the provider of the wireless communications network comprises a mobile telephone network operator.

Claim 69 The method of claim 68 wherein the provider of the transaction portal server comprises a bank.

Claim 70 (canceled)

ASSIGNMENT

WHEREAS, Alan YOUNG, Philip CHAPMAN, and Robert BERARDY (referred to as "ASSIGNOR") have invented certain new and useful improvements in an invention entitled SYSTEM AND METHOD FOR PERFORMING AN ELECTRONIC TRANSACTION USING A TRANSACTION PROXY WITH AN ELECTRONIC WALLET,

- ☒ for which a utility application for a United States Patent was filed with the United States Patent and Trademark Office on November 30, 2000, Serial Number 09/728,467;
- ☐ for which an application for a United States Patent is being submitted to the United States Patent and Trademark Office herewith; and

WHEREAS, CITIBANK, N.A., a national banking association organized under the laws of the United States of America, doing business at 399 Park Avenue, New York, New York, 10022 (hereinafter referred to as the "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to said invention, and in and to said application and any Letters Patent that may issue thereon;



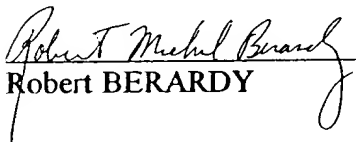
NOW, THEREFORE, for and in consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells and transfers to said ASSIGNEE, and to ASSIGNEE'S successors and assigns, ASSIGNOR'S entire right, title and interest in and to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any patent application claiming priority to the application, or any continuation, division, continuation-in-part, reexamination, renewal, substitute, extension or reissue thereof or any legal equivalent thereof in a foreign country for the full term of terms for which the same may be granted; and authorize and request the Commissioner of Patents of the United States and any official of any foreign country whose duty it is to issue patents or legal equivalents thereto, to issue same for this invention to ASSIGNEE, its lawful successors and assigns.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and signed on the date indicated below:

SIGNATURE(S)

The signature(s) must correspond with the name(s) of the inventor(s) above.

	<u>INVENTOR(S)</u>	<u>DATE SIGNED</u>
1)	 _____ Alan YOUNG	<u>March 19, 2001</u>
2)	 _____ Philip CHAPMAN	<u>12 March 2001</u>
3)	 _____ Robert BERARDY	<u>12 March 2001</u>



KILPATRICK
STOCKTON LLP

Attorneys at Law

EXPRESS MAIL NO. EV463363444 US

1001 West Fourth St.
Winston-Salem NC 27101-2400
t 336 607 7300 f 336 607 7500
www.KilpatrickStockton.com

Todd W. Galinski
direct dial 336 607 7448
direct fax 336 734 2654
TGalinski@KilpatrickStockton.com

March 9, 2005

Mr. Philip Chapman
301 Ramierle Merguro
1-3-4 Mita, Meguro-ku
Tokyo 153-0062 JAPAN

Re: US Patent Application Serial No. 09/728,471
For: System and Method for Performing An Electronic
Transaction Using A Transaction Proxy With
An Electronic Wallet
Filed: November 30, 2000
Our Ref: C0464/196869 (CITI0207)

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I represent Citibank, N.A. in the above-identified application, and we require your signature of the enclosed Declaration in order to establish the invention date for the above-referenced application and circumvent a rejection by the U.S. Patent Office. Enclosed is a copy of the Declaration form and the application. Please review the confidential copy of the application and sign and date the Declaration form in the place shown and return the executed Declaration to me. Please return this document to me by **March 22, 2005** so that we may respond to a filing deadline imposed by the U.S. Patent Office.

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If you have any questions, please contact me at 336-607-7448.

Very truly yours,

Todd W. Galinski

TWG/caj
Enclosures



Shipment Receipt

(Keep this for your records.)

Transaction Date 09 Mar 2005

Address Information

Ship To:

Philip Chapman
Philip Chapman
336-607-7300
301 Ramierle Meguro
1-3-4 MitaMeguro-ku
Tokyo 1530062
JAPAN

Shipper:

Kilpatrick Stockton (Winston-Salem)
Todd W. Galinski
336-607-7300
1001 W 4th Street
WINSTON SALEM NC 27101
UNITED STATES

Shipment Information

Service:	UPS Express
*Guaranteed By:	End of Day, Fri. 11 Mar. 2005
Shipment ID:	FF3161VNVB9
Actual Weight:	Letter
Billable Weight:	Letter
Description of Goods:	correspondence

Shipping:	**35.04
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Package Information

Package 1 of 1

Tracking Number:	1ZFF31616698744666
Package Type:	UPS Letter
Only Valid 6 Digit Matter # Accepted:	196869

Billing Information

Payment Method:	Bill Sender: FF3161	
Total:	All Shipping Charges in USD	**35.04

Note: The displayed rate is for reference purposes and does not include applicable taxes.

* For delivery and guarantee information, see the UPS Service Guide. To speak to a customer service representative, call 1-800-PICK-UPS for domestic services and 1-800-782-7892 for international services.

** Rate includes a fuel surcharge.

Responsibility for Loss or Damage

Unless governed by the Convention for the Unification of Certain Rules Relating to International Transportation by Air (Warsaw Convention), the Convention on the Contract for the International Carriage of Goods by Road (CMR Convention) or other mandatory law, UPS's liability for damage, loss or delay of this shipment is limited to a maximum of US\$100 (or local currency equivalent) or as otherwise limited by the UPS Terms and Conditions of Carriage/Service for the country of origin of this shipment. No protection for loss or damage of this shipment in excess of the amount pursuant to the previous sentence is provided unless the shipper declares a higher value for carriage and pays an additional charge. If the shipper declares a higher value for carriage and pays the applicable charge, then liability shall be limited to proven damages of not more than the sum so declared. If C.O.D. is available for this shipment, the entry of a C.O.D. amount is not a declaration of value for carriage, and all checks or other negotiable instruments tendered in

payment of C.O.D. amounts will be accepted by UPS at shipper's risk. UPS does not accept for transportation packages with a value of more than US\$50,000 (or the local currency equivalent) if payment is made with (or guaranteed by) a UPS account number, US\$5,000 (or the local currency equivalent) if payment for this shipment is made with a credit card (and not guaranteed by a UPS account number), US\$999 (or the local currency equivalent) for shipments having an origin in the Bahamas, Costa Rica, Guatemala, New Zealand or Panama or as otherwise limited by the UPS Terms and Conditions of Carriage/Service for the country of origin of this shipment. Claims not made within the time limits set forth in the applicable Terms and Conditions of Carriage/Service shall be deemed waived. UPS shall not be liable for any special, incidental, or consequential damages. There are no stopping places which are agreed upon at the time of tender of the shipment, and UPS reserves the right to route the shipment in any way UPS deems appropriate. Where allowed by law, the shipper authorizes UPS to act as forwarding agent for export control and customs purposes. Shipper states this shipment complies with all laws, including applicable provisions of US Export Administration Regulations. Diversion contrary to U.S. law prohibited. **All shipments are subject to the Terms and Conditions of Carriage/Service for the country of origin, which can be found at www.ups.com.**



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March 9, 2005

Mr. Philip Chapman
One Sansome Street
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Our Ref: C0464/196869 (CITI0207)

Dear Mr. Chapman:

I represent Citibank, N.A. in the above-identified application, and we require your signature of the enclosed Declaration in order to establish the invention date for the above-referenced application and circumvent a rejection by the U.S. Patent Office. Enclosed is a copy of the Declaration form and the application. Please review the confidential copy of the application and sign and date the Declaration form in the place shown and return the executed Declaration to me in the enclosed UPS envelope. Please return this document to me by **March 22, 2005** so that we may respond to a filing deadline imposed by the U.S. Patent Office.

For your convenience, we also are enclosing a copy of the assignment document executed by you, assigning your rights in the subject invention to Citibank, N.A. You may wish to review this document with regard to your agreement to cooperate with Citibank, N.A., and its assignees, to obtain proper patent protection for the invention

If you have any questions, please contact me at 336-607-7448.

Very truly yours,



Todd W. Galinski

TWG/caj
Enclosures



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Transaction Date 09 Mar 2005

Address Information

Ship To:

Philip Chapman
Philip Chapman
336-607-7300
One Sansome Street
SAN FRANCISCO CA 94104-4448

Shipper:

Kilpatrick Stockton (Winston-Salem)
Todd W. Galinski
336 607-7300
1001 W 4th Street
WINSTON SALEM NC 27101

Shipment Information

Service:

UPS Next Day Air
10:30 AM, Thurs. 10 Mar.
2005

*Guaranteed By:

Shipping:

..... **20.26

Package Information

Package 1 of 1

Tracking Number: 1ZFF31610196183272
Package Type: UPS Letter
Actual Weight: Letter
Billable Weight: Letter
Only Valid 6 Digit Matter # Accepted: 196869

Billing Information

Payment Method:

Bill Sender: FF3161

Total:

All Shipping Charges in USD

****20.26**

Note: The displayed rate is for reference purposes and does not include applicable taxes.

* For delivery and guarantee information, see the UPS Service Guide. To speak to a customer service representative, call 1-800-PICK-UPS for domestic services and 1-800-782-7892 for international services.

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Service, which can be found at www.ups.com.



Shipment Receipt

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Transaction Date 09 Mar 2005

Address Information

Shipper:

Kilpatrick Stockton (Winston-Salem)
Catherine Johnson
1001 W 4th Street
Winston Salem NC 27101

Pickup From:

Philip Chapman
Philip Chapman
336-607-7300
One Sansome Street
SAN FRANCISCO CA 94104-4448

Shipment Information

Return Service:	UPS Returns SM Print Return Label	0.50
Service:	UPS Next Day Air	
Shipping:		**20.26

Package Information

Package 1 of 1

Tracking Number:	1ZFF31618496448081
Package Type:	UPS Letter
Actual Weight:	Letter
Billable Weight:	Letter
Merchandise Description:	correspondence
Only Valid 6 Digit Matter # Accepted:	196869

Billing Information

Payment Method:	Bill Sender: FF3161	
Total:	All Shipping Charges in USD	**20.76

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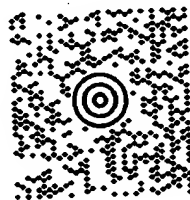
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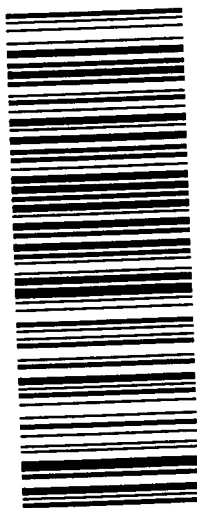
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DATE: 15 MAR 2005

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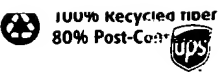
TODD GALINSKI
3366077300
KILPATRICK STOCKTON
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UNITED STATESREF # 1: RTS SHPMNT/ORIGINAL TK#
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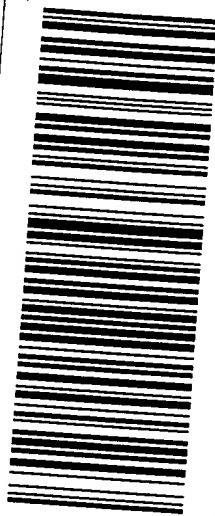
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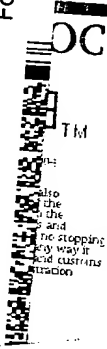


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p

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